

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

SCOTT HUTCHINSON  
ENTERPRISES, et al.,

Plaintiffs,

v.

C-1- 01-776

RHODES, INC., et al.,

Defendants.

**ORDER**

This matter is before the Court following a status/scheduling conference held on November 19, 2003. Pursuant to the record established at the conference, the request of Robert D'Anniballe, Amy Pigg Shaffer, Samuel G. Casolari, Jr., and the law firm of Marshall, Dennehey, Warner, Coleman & Goggin to withdraw as counsel for defendant Rhodes, Inc. with defendant's consent is **GRANTED**. Pursuant to the Notice of Substitution of Counsel, attorney E. David Marshall is substituted as counsel for Rhodes, Inc.

By agreement of the parties, the Court will allow bifurcation of discovery on the liability and scientific issues in the lawsuit. The motion for leave to file disclosures conventionally (doc. 65) is **GRANTED**. Plaintiffs' motion to amend the complaint (doc. 68) is **GRANTED**. The Clerk is **DIRECTED** to file the proposed amended complaint attached to the motion to amend. The motion for leave to amend the Scheduling Order (doc. 66) is **GRANTED**. The existing Scheduling Order is **VACATED**. The parties shall submit a Proposed Scheduling Order within **sixty days** after execution of service and summons on the new parties. A status/scheduling conference is set for Friday, **April 30, 2004 at 1:30 p.m.**

**IT IS SO ORDERED.**

S/ Herman J. Weber

HERMAN J. WEBER  
SENIOR JUDGE, UNITED STATES DISTRICT COURT

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